

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JOSHUA FELIX ARCHULETA,

Plaintiff,

v.

No. CV 13-1215 LAM

**CAROLYN W. COLVIN,
Acting Commissioner of the Social
Security Administration,**

Defendant.

ORDER OF DISMISSAL WITHOUT PREJUDICE

THIS MATTER is before the Court *sua sponte* to consider Plaintiff's failure to respond to the Court's Order to Show Cause [*Doc. 19*] filed on July 2, 2014, which required that Plaintiff, who appears *pro se*, no later than **July 15, 2014**, either file with the Court a Motion to Reverse or Remand Administrative Agency Decision with a supporting memorandum of law, or file with the Court a response to the Order to Show Cause showing cause why this case should not be dismissed. In the Order to Show Cause, Plaintiff was notified that failure to respond may result in dismissal of his case without prejudice without further notice. [*Doc. 19* at 2]. As of this date, Plaintiff has not responded to the Court's Order to Show Cause, nor has he filed a Motion to Reverse or Remand Administrative Agency Decision.

As stated in the Order to Show Cause [*Doc. 19*], the Court has the inherent power to dismiss a case *sua sponte* for failure to prosecute or for failure to comply with a court order. *See Link v. Wabash R.R. Co.*, 370 U.S. 626, 629-31 (1962); *Olsen v. Mapes*, 333 F.3d 1199, 1204 n.3 (10th Cir. 2003). Here, Plaintiff has failed to comply with the Court's Order to Show Cause, and

Plaintiff's "*pro se* status does not relieve him from complying with the court's procedural requirements." See *Barnes v. United States*, No. 05-3403, 173 Fed. Appx. 695, 697, 2006 WL 856221 (10th Cir. April 4, 2006) (unpublished) (citation omitted); see also *Santistevan v. Colo. Sch. of Mines*, No. 04-1513, 150 Fed. Appx. 927, 931, 2005 WL 2697255 (10th Cir. Oct. 21, 2005) (unpublished) (holding that a *pro se* litigant must follow the same rules of procedure as other litigants). For these reasons, Plaintiff's Complaint (*Doc. 1*) will be dismissed without prejudice.

WHEREFORE, IT IS HEREBY ORDERED THAT Plaintiff's Complaint (*Doc. 1*) and this action are **DISMISSED without prejudice**.

IT IS SO ORDERED.


LOURDES A. MARTÍNEZ
UNITED STATES MAGISTRATE JUDGE
Presiding by Consent